

## **REGULATION 7**

### **Standards of Performance for New Affected Facilities**

#### **REGULATION 7.01     General Provisions**

##### **Air Pollution Control District of Jefferson County Jefferson County, Kentucky**

**Relates To:** KRS Chapter 77 Air Pollution Control

**Pursuant To:** KRS Chapter 77 Air Pollution Control

**Necessity and Function:** KRS 77.180 authorizes the Air Pollution Control Board to adopt and enforce all orders, rules, and regulations necessary or proper to accomplish the purposes of KRS Chapter 77. This regulation establishes general requirements for new affected facilities.

#### **SECTION 1   Applicability**

Unless specifically exempted in Regulation 2.02 *Air Pollution Regulation Requirements and Exemptions*, this regulation applies to any affected facility the construction, modification, or reconstruction of which is commenced on or after the effective date of an applicable standard of performance in Regulation 7.

#### **SECTION 2   Permits Required**

Unless specifically exempted in Regulation 2.02, all affected facilities must obtain the appropriate permit issued by the District pursuant to Regulation 2 *Permit Requirements* before commencing construction, modification, or reconstruction.

#### **SECTION 3   Reporting and Recordkeeping**

Regardless of any specific requirements in other District regulations, the following reporting and recordkeeping requirements shall apply:

- 3.1     The owner or operator of an affected facility shall submit to the District written notification of the following:
  - 3.1.1     The anticipated date of initial startup of an affected facility not more than 60 days or less than 30 days before that date, and
  - 3.1.2     The actual date of initial startup of an affected facility within 15 days after that date.
- 3.2     The owner or operator of an affected facility shall retain for at least 2 years a record of the occurrence and duration of any startup, shutdown, malfunction, or emergency of the affected facility.
- 3.3     A written report of excess emissions shall be submitted to the District by each owner or operator of an affected facility for each calendar quarter. The report shall include the magnitude of excess emissions as measured by the required monitoring equipment reduced to the units of the applicable standard and the date and time of commencement and completion of each period of excess emissions. Periods of excess emissions due to startup, shutdown, malfunction, or emergency shall be specifically identified. The nature and cause of any malfunction, if known, and corrective action taken or preventive measures adopted shall be reported. Each quarterly report is due by the 30th day following the end of the calendar quarter. Reports are not required for any quarter unless there has been a period of

excess emissions.

- 3.4 The owner or operator of an affected facility shall maintain a file of all measurements, including monitoring and performance testing measurements, and all other reports and records required by this regulation. Each measurement, report, or record shall be retained for at least 2 years following the date of the measurement, report, or record.
- 3.5 The owner or operator of an affected facility shall submit to the District, as requested, all reports on emissions, equipment status, process information, in-stack emission monitoring, stack testing, fuels data, and other relevant information pertaining to the affected facility.

#### **SECTION 4 Performance Tests**

- 4.1 Within 60 days after achieving the maximum production rate at which an affected facility will be operated, but not later than 180 days after initial startup of the affected facility, and at other times as may be required by the District, the owner or operator of an affected facility, except an affected facility specified below, shall conduct performance tests according to Regulation 1.04 *Performance Tests* and submit to the District a written report of the results of the performance tests:
  - 4.1.1 A process operation with a process weight rate of less than 100 tons per hour,
  - 4.1.2 An indirect heat exchanger of 100 million BTU heat input per hour or less,
  - 4.1.3 An incinerator with a charging rate of 45 metric tons per day (50 tons/day) or less, or
  - 4.1.4 An affected facility specified in Regulations 7.09 *Standards of Performance for New Process Gas Streams*, 7.12 *Standard of Performance for New Storage Vessels for Volatile Organic Compounds*, 7.14 *Standards of Performance for Selected New Petroleum Refining Processes and Equipment*, 7.15 *Standards of Performance for Gasoline Transfer to New Service Station Storage Tanks (Stage I Vapor Recovery)*, 7.18 *Standards of Performance for New Solvent Metal Cleaning Equipment*, 7.20 *Standard of Performance for New Gasoline Loading Facilities at Bulk Plants*, 7.22 *Standard of Performance for New Volatile Organic Materials Loading Facilities*, 7.35 *Standard of Performance for New Ethylene Producing Plants*, 7.36 *Standard of Performance for New Volatile Organic Compound Water Separators*, 7.52 *Standard of Performance for New Fabric, Vinyl and Paper Surface Coating Operations*, 7.57 *Standard of Performance for New Graphic Arts Facilities Using Rotogravure and Flexography*, 7.58 *Standard of Performance for New Factory Surface Coating Operations of Flat Wood Paneling*, 7.59 *Standard of Performance for New Miscellaneous Metal Parts and Products Surface Coating Operations*, or 7.60 *Standard of Performance for New Synthesized Pharmaceutical Product Manufacturing Operations*.
- 4.2 The District may, upon written notice or as a condition of a permit, require the owner or operator of an affected facility, including those specified in sections 4.1.1 through 4.1.4, to conduct performance tests according to Regulation 1.04 and submit to the District a written report of the results of the performance tests.

#### **SECTION 5 Notification and Recordkeeping**

- 5.1 The owner or operator of an affected facility shall submit to the District written notification of the following:
  - 5.1.1 The date on which construction, reconstruction, or modification of an affected facility commenced, postmarked no later than 30 days after that date,
  - 5.1.2 The anticipated date of initial startup of an affected facility, postmarked not more than 60

- days nor less than 30 days before that date,
- 5.1.3 The actual date of initial startup of an affected facility, postmarked within 15 days after that date,
- 5.1.4 The modification of an affected facility, postmarked 60 days, or as soon as practicable, before the change is commenced, including information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The District may request additional relevant information subsequent to this notice, and
- 5.1.5 The date which demonstration of the continuous monitoring system performance test commences in accordance with section 6.3, postmarked not less than 30 days before that date.
- 5.2 The owner or operator of an affected facility shall maintain records of the occurrence and duration of any startup, shutdown, malfunction, or emergency in the operation of the affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.
- 5.3 The owner or operator of an affected facility that is required to install a continuous monitoring system shall submit to the District for every calendar quarter a written report of excess emissions . Both a printed report and computer tape or cards shall be furnished in the format specified by the District. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter and shall include the following information:
- 5.3.1 The magnitude of excess emissions computed in accordance with Section 6, any conversion factors used, and the date and time of commencement and completion of each time period of excess emissions,
- 5.3.2 All hourly averages for sulfur dioxide and nitrogen oxides monitors. The hourly averages shall be made available on computer tape or cards,
- 5.3.3 Specific identification of each period of excess emissions that occurs during startups, shutdowns, malfunctions, and emergencies of the affected facility, the nature and cause of the malfunction, if known, and the corrective action taken or preventive measures adopted,
- 5.3.4 The date and time identifying each period during which the continuous monitoring system was inoperative, except for zero and span checks, and the nature of the system repairs or adjustments, and
- 5.3.5 When no excess emissions have occurred or the CEMS has not been inoperative, repaired, or adjusted, this information shall be stated in the report.
- 5.4 The owner or operator of an affected facility shall maintain a file of all measurements, including CEMS, monitoring device, and performance testing measurements; CEMS performance evaluations; CEMS or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and other information required by this regulation. Each record shall be made in a permanent form suitable for inspection, retained for at least 2 years following the date of the measurement, maintenance, report or record, and made available to the District upon request.

## **SECTION 6 Monitoring Requirements**

- 6.1 Unless otherwise approved by the District or specified in applicable sections, this section applies to all CEMS required under this regulation.
- 6.2 All CEMS and monitoring devices shall be installed and operational prior to conducting

performance tests under Section 4. Verification of operational status shall, as a minimum, consist of the following:

- 6.2.1 For CEMS referenced in section 6.3, completion of the conditioning period specified by applicable requirements in 40 CFR Part 60 Appendix B,
  - 6.2.2 For CEMS referenced in section 6.3, completion of 7 days of operation, and
  - 6.2.3 For monitoring devices referenced in applicable regulations, completion of the manufacturer's written requirements or recommendations for checking the operation of the device.
- 6.3 During a performance test required by Section 4, or within 30 days of this test, and at other times as may be required by the District, the owner or operator of an affected facility with a required CEMS monitoring a parameter included in section 6.3 shall conduct CEMS performance evaluations and submit to the District within 60 days of the evaluations a copy of the written report of the results of the evaluations. These CEMS performance evaluations shall be conducted in accordance with the following specifications and procedures of 40 CFR Part 60 Appendix B:
- 6.3.1 Performance Specification 1 for CEMS measuring opacity,
  - 6.3.2 Performance Specification 2 for CEMS measuring nitrogen oxides emissions,
  - 6.3.3 Performance Specification 2 for CEMS measuring sulfur dioxide emissions, and
  - 6.3.4 Performance Specification 3 for CEMS measuring the oxygen content or carbon dioxide content of effluent gases.

## **Section 7 Additional Standards**

- 7.1 If an affected facility would, except for the date for which construction, modification, or reconstruction commenced, be subject to Regulation 6.16 *Standard of Performance for Existing Large Appliance Surface Coating Operations* and the affected facility is subject to an emission limit in 40 CFR Part 60 Subpart SS, then the affected facility shall, in addition to complying with the applicable requirements of Regulation 7, also comply with either Regulation 6.16 Section 3 or the exemption requirements of Regulation 6.16 Section 5 on the basis of a calendar-day averaging period.
- 7.2 If an affected facility would, except for the date for which construction, modification, or reconstruction commenced, be subject to Regulation 6.17 *Standard of Performance for Existing Automobile and Truck Surface Coating Operations* and the affected facility is subject to an emission limit in 40 CFR Part 60 Subpart MM, then the affected facility shall, in addition to complying with the applicable requirements of Regulation 7, also comply with Regulation 6.17 Section 3 on the basis of a calendar-day averaging period. Compliance with any emission standard of Regulation 6.17 Section 3 that is expressed in terms that include a volume of applied coating solids shall be demonstrated using capture efficiency as measured according to the method in Regulation 1.05 *Compliance with Emission Standards and Maintenance Requirements*.

Adopted v1/7-14-76; effective 9-1-76; amended v2/11-16-83, v3/4-20-88, v4/5-17-00.